

UNITED STATES DISTRICT COURT

DISTRICT OF NEVADA

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JOSEPH CAMPBELL,

Plaintiff,

v.

WILLIAM REUBART, *et al.*,

Defendants.

Case No. 3:23-cv-00030-MMD-CLB

ORDER

Pro se Plaintiff Joseph Campbell has filed a motion for voluntary dismissal. (ECF No. 14.) Plaintiff states that, after further investigation, he feels that this case would be a waste of time and money. (*Id.* at 2.) Under Federal Rule of Civil Procedure 41(a)(1), a plaintiff may dismiss an action without a court order by filing “a notice of dismissal before the opposing party serves either an answer or a motion for summary judgment.” Fed. R. Civ. P. 41(a)(1)(A)(i).

The parties participated in the Court’s Inmate Early Mediation Program, but the Defendants have not yet filed an answer or a motion for summary judgment. Therefore, the Court grants Plaintiff’s motion for voluntary dismissal and dismisses this action without prejudice. The Court denies Plaintiff’s application to proceed *in forma pauperis* (ECF No. 4) as moot.

It is therefore ordered that the motion for voluntary dismissal (ECF No. 14) is granted.

It is further ordered that Plaintiff’s application to proceed *in forma pauperis* (ECF No. 4) is denied as moot.

It is further ordered that this action is dismissed in its entirety without prejudice.

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1 The Clerk of the Court is directed to enter judgment accordingly and close this
2 case.

3 DATED THIS 28th Day of September 2023.

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6 MIRANDA M. DU
7 CHIEF UNITED STATES DISTRICT JUDGE
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